ENDICOTT JOHNSON CORPORATION v. SMITH

ERROR TO THE SUPREME COURT OF THE STATE OF NEW YORK.

No. 64. Argued October 13, 1924.—Decided November 17, 1924.

Decided upon the authority of *Endicott Johnson Corporation* v. *Encyclopedia Press, Inc.*, *ante*, p. 285.
189 N. Y. Supp. 673; 199 App. Div. 194; 234 N. Y. 628, affirmed.

ERROR to a judgment of the Supreme Court of New York, entered on remittitur from the Court of Appeals, affirming a judgment against a garnishee.

Mr. Maurice E. Page for plaintiff in error.

Mr. Moe Goldstein appeared for defendant in error.

MR. JUSTICE SANFORD delivered the opinion of the Court.

This case, like *Endicott Johnson Corporation* v. *Encyclopedia Press, Inc.*, No. 41, just decided, *ante*, 285, involves the constitutional validity of § 1391 of the New York Code of Civil Procedure. 189 N. Y. Supp. 673; 199 App. Div. 194; 234 N. Y. 628. It is in all respects similar to the *Encyclopedia Press Case* and governed by the decision therein.

The judgment is

Affirmed.